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Friday, 20 June 2003, 10.30 a.m.

New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Raytchev
	Cameroon	Mr. Tidjani
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Guinea	Mr. Traoré
	Mexico	Mr. Pujalte
	Pakistan	Mr. Khalid
	Spain	Mr. Oyarzún
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Olson

Agenda

Protection of civilians in armed conflict

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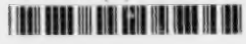

The meeting was called to order at 10.40 a.m.

Expression of farewell to Mr. Mamady Traoré, Permanent Representative of Guinea to the United Nations

The President (*spoke in Russian*): I understand that our respected colleague Ambassador Mamady Traoré, Permanent Representative of Guinea, is here with us in this Chamber for the last time before he undertakes his next important assignment.

On behalf of the members of the Security Council, I wish to pay tribute to Ambassador Traoré for his invaluable contribution to the work of the Council. His diplomatic skills, which were put to good use during his presiding over the difficult deliberations of the Council in the month of March, together with his collegial approach, have made him a highly effective representative of his country. I am certain that he will continue to use his talents in his new assignment. Ambassador Traoré will be remembered as a colleague who always strived to work in cooperation and harmony with other members of the Council.

In bidding him a fond farewell, Council members and I wish him great success and fulfilment in his future endeavours.

Mr. Traoré (Guinea) (*spoke in French*): I should like at the outset to express my profound gratitude to you, Sir, for your kind words addressed to me on behalf of my colleagues, the permanent representatives on the Security Council.

As I prepare to leave my post, I wish to say that my 10-month stay in New York as the Permanent Representative of Guinea to the United Nations, and in particular here in the Security Council, has allowed me to find new horizons that have undoubtedly deepened my knowledge of multilateralism and enriched my experience. I must acknowledge that this has been possible thanks to the inestimable cooperation and constant, invaluable support that I have enjoyed from each and every one of my colleagues, whose skills, professionalism and experience I appreciate and admire.

This is also an opportunity for me to express my sincere thanks to the members of the Secretariat team of the Council, whose friendship, accessibility and dedication to their work allowed me, during the sensitive period of the Guinean presidency of the Council in March, to fulfil my obligations. My participation in the work of the Security Council has been a wonderful school for me in which I have been able, in a relatively brief time, to gain a greater understanding of the often complex arcana involved in the maintenance of international peace and security. These unforgettable experiences will forever be etched into my memory and, quite obviously, a constant source of satisfaction and encouragement to me.

I hope that the unity of the Council, which was put to such a rude test during our presidency in March and which was strengthened by the adoption of resolutions 1472 (2003) and 1483 (2003), will be further enhanced, allowing the Council to play its role as guarantor of international security and to maintain its full credibility. That is the only way, I believe, of reviving the confidence of the international community and of silencing the questions and criticisms launched from all sides against the Security Council following the outbreak of hostilities in Iraq.

I should like to assure the Council that, upon my return to my own country, I shall spare no effort to ensure that my Government, which has never shirked its responsibilities, continues to play a growing role in the search for peaceful solutions to the various crises, the grave economic and humanitarian consequences of which have afflicted West Africa for more than a decade now.

I cannot fail to thank Secretary-General Kofi Annan or to hail his courage, perspicacity and acute sense of responsibility.

Finally, I wish to commend the Deputy Secretary-General, the Under-Secretaries-General and the members of the Office of the Secretary-General for their accessibility, dedication and complete mastery of their subjects.

As I wish all my colleagues all the best for the future, I want once again to thank them for their friendship, which I hope will be further strengthened and resist the test of time.

The President (*spoke in Russian*): I thank Ambassador Traoré for his kind words addressed to all of us and our colleagues in the Secretariat.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

It is so decided.

I invite Mr. Oshima to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to recall document S/2002/1300, dated 26 November 2002, which contains the report of the Secretary-General on the protection of civilians in armed conflict.

At this meeting, the Security Council will hear a briefing by Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. It is my understanding that today, Mr. Oshima, too, is speaking to us in this Chamber for the last time, although we may meet him in other contexts. We all know that Mr. Oshima is ending his work at the United Nations. On behalf of the members of the Council, I wish to express our deep appreciation for the efforts he has made in his important post in conditions of growing need for humanitarian assistance throughout the world and for the fact that he has demonstrated great diplomatic skills, a deep sense of humanity and patience, and the ability to meet complex challenges.

I now give the floor to Mr. Oshima.

Mr. Oshima: I thank you, Mr. President, for providing me once again with the opportunity to brief the Security Council on the protection of civilians in armed conflict. I appreciate the commitment that the Council has shown to the protection-of-civilians agenda by establishing regular dialogue on this increasingly important issue. The Secretary-General's most recent report to the Security Council (S/2002/1300), which was submitted in December 2002, was the third report on this topic and outlined the practical means by which the United Nations could promote and develop a culture of protection. This briefing is part of the semi-annual briefing process that provides the Council with updates on progress made and on changes in the protection environment.

For the moment, much of the world's attention is focused on Iraq and on the hardships faced by the Iraqi population. We must, however, remind ourselves that the plight of civilians in armed conflict remains a considerable and grave problem in many other parts of the world. Sadly, this year has witnessed some of the more horrendous acts of violence carried out against civilians. In the past year, Security Council missions to areas of conflict have proved their value by bringing international attention to bear on situations where the lives of civilians have been at the utmost risk. I hope that such missions become an established feature of the workings of the Council. I also hope that the framework provided by the protection of civilians will assist the Council in its assessments and will establish a more effective basis for protection in areas of conflict. The recent Security Council mission to Central Africa provided a considerable impetus for addressing protection issues, and I hope that the mission to West Africa will do the same.

In the case of Côte d'Ivoire, the practical results of the Council's increased engagement in the protection of civilians are enshrined in resolution 1464 (2003). That resolution explicitly mandates the forces of the Economic Community of West African States (ECOWAS) and of France in Côte d'Ivoire to ensure the protection of civilians. It recognizes the paramount importance of ensuring the protection of civilians where they are deliberately targeted by parties to the conflict who have seemingly demonstrated indifference to their own responsibilities for protection. I appreciate the fact that incorporating the protection of civilians into the role of peacekeepers is not a straightforward task. Nevertheless, we are increasingly confronted with situations where we are left with few alternatives but to explore that option; Liberia is the most recent example. I therefore hope that, through the closer collaborative relationship that is developing among the Department of Peacekeeping Operations (DPKO), the Department of Political Affairs (DPA) and the Office for the Coordination of Humanitarian Affairs (OCHA), we shall be better able to provide members with the analysis necessary to promote appropriate Council action.

In the first part of my briefing, I shall outline progress made since the last report of the Secretary-General was submitted to the Council, in December. In the second part, I should like to review a number of current country-specific situations against key themes of the aide-memoire (S/PRST/2002/6, annex). In my concluding comments, I should like to reflect briefly on some of the progress made over the past two years.

As Council members will recall, the main emphasis of the Secretary-General's 2001 report (S/2001/331) was to make the culture of protection a practical reality. As the Council itself has recognized, this is the time to move from words to action. The report outlined three key approaches. The first approach was to develop an agreed action plan that would allocate responsibility for the implementation of the recommendations contained in the first two reports of the Secretary-General on this subject. This road map tries to establish a shared commitment among Member States, the United Nations system and concerned international organizations to a timetable for action. The second element was to establish a strong programme of dissemination and advocacy with Member States and concerned parties on the relevant principles and responsibilities. The third element involved establishing a stronger common base of analysis, assessment and response within the United Nations system around the aide-memoire adopted by the Council in March 2002.

I turn first to the road map issue. The Council may recall that the last report of the Secretary-General presented an initial version of the road map that grouped actions under common themes. Since then, we have been assisted in defining the road map, making it a more practical and time-bound document through the establishment of two bodies.

First, within the Secretariat, we have established an implementation group for the protection of civilians under the auspices of the Executive Committee on Humanitarian Affairs, which I chair. In parallel to that, a Member States support group for the protection of civilians has been formed. In the past months, both groups have met a number of times and have begun to identify key areas of responsibility. They intend to complete their work towards the end of this year, and we hope to present a final version of the road map to the Security Council in December.

Secondly, the process of dissemination and advocacy among Member States and concerned parties has been undertaken through a series of regional workshops. Three workshops, covering Southern Africa, East Asia and Europe, were held over the course of last year. So far this year, two further workshops have been held — one in West Africa and the other in the Pacific region. Three more workshops are planned for the remainder of this year; they will be held in Central and Latin America, in South Asia and in the Middle East. These workshops have proved to be an extremely useful basis for identifying major regional concerns on the protection of civilians.

The workshop in West Africa was the first such workshop held in a zone of conflict. As members know, there is an urgent need for improved protection in that region. The practical recommendations, therefore, focused on new mechanisms to secure humanitarian access, to screen and separate combatants and non-combatants, to strengthen disarmament and demobilization programmes, and to control the flow of small arms. Member States in the region have shown a commitment to following those recommendations through their regional organizations, including the African Union and ECOWAS.

The Pacific Islands Forum made a similar commitment following our most recent regional meeting of Pacific island States, held in early June in Fiji. Following the workshop, the Solomon Islands — which has experienced years of civil conflict — formed its own protection-of-civilians mechanism between political and civil society leaders to address the problems. A number of the countries participating in these workshops have identified the need for training-of-trainer programmes on the protection of civilians, which could help to make the aide-memoire understood at the community level. We appreciate the support that we have received from Member States for the holding of these workshops, which we hope will continue.

Moreover, in line with the need to keep the protection agenda current, OCHA has organized a series of round tables since 2001. In May of this year, OCHA convened the most recent discussion, which explored ways to apply protection principles to the impact of terrorism and counter-terrorism on civilian populations in armed conflict, an issue that had been raised in the Council in December. The discussion by representatives of Member States, of United Nations agencies, of the International Committee of the Red

Cross (ICRC) and of select non-governmental organizations reflected the complexity of this issue. While no general agreement was reached on how to move the process forward, there was consensus on the need for counter-terrorism policies and measures to be undertaken in accordance with recognized principles of international humanitarian and human rights law. We shall continue to pursue this issue in the coming months, and we are grateful to the Governments of Norway and Switzerland for their support.

Lastly, building upon the existing international legal framework, the aide-memoire has proved to be an important tool in establishing a stronger common base of analysis and assessment on key protection-of-civilians requirements and responses within the United Nations system as a whole. Also, the aide-memoire has been used as a practical tool in the field to develop an active collaborative framework for protection undertaken on an inter-agency basis in countries such as Burundi and Afghanistan, and more recently in Iraq. This practical use of the aide-memoire has also contributed to increased and systematic reporting and monitoring of protection issues in conflict situations.

I would now like turn to the second part of my briefing, using the aide-memoire to highlight key patterns of protection concerns.

Restricted access, or the lack of it, remains the primary concern in most conflict areas around the world. In West Africa severe restrictions on humanitarian access are increasing the suffering of an already traumatized population. Hundreds of thousands of civilians across the region cannot be reached by humanitarian agencies. They are denied potable water, shelter, medical assistance and food, and are subject to indiscriminate attacks.

I particularly wish to draw the Council's attention to the current situation in Liberia. Despite the courageous efforts of ICRC, non-governmental organizations (NGOs) and United Nations national staff, humanitarian access to internally displaced populations remains severely limited. There are also reports of widespread abuse, which includes rape and summary executions. There are also reports of acts of reprisals against internally displaced persons by Government forces, who accuse them of collaboration with rebel groups.

As a result, the humanitarian situation is becoming literally overwhelming. In the last few days some 70,000 internally displaced persons have concentrated in Monrovia's city centre, in deplorable conditions. Increasing occurrences of diarrhoea and other major communicable diseases provide an immediate threat to the lives of thousands of people, including children. With most international humanitarian workers out of the country, the current humanitarian system can no longer adequately address the rapidly spiralling needs of the population. Immediate international intervention is required to stabilize the security situation and to allow humanitarian agencies to assist the vulnerable, and thus to prevent a further deterioration of this most desperate humanitarian situation.

Equally, the humanitarian situation in the occupied Palestinian territory has further deteriorated over the past six months, with closures and curfews continuing to impact harshly on almost the entire civilian population.

In Aceh, Indonesia, optimism about a peaceful resolution of the conflict has proven to be premature. Moreover, I was concerned by recent policies by Government authorities suggesting constraints on the delivery of international humanitarian assistance in that province. After sharing my concerns with the Indonesian authorities, I am encouraged by this week's decree by the President of Indonesia clarifying the presence and operations of humanitarian organizations. I am hopeful that, as a next step, we will be able to agree to the establishment of appropriate mechanisms and terms of engagement with humanitarian agencies in order to secure adequate humanitarian access to all vulnerable populations and to ensure the impartiality and independence of humanitarian assistance.

Consider the widespread use of rape and other atrocities committed against women and girls as a brutally devastating weapon of war. For example, in Ituri and elsewhere in the eastern part of the Democratic Republic of the Congo, mass rapes and other severe atrocities against women and girls have been committed on a chilling scale. Women are punished as outcasts and are vulnerable to contracting HIV/AIDS. Strong cultural sensitivities make it even more difficult to address the issue in protection terms. Nevertheless, their moral repugnance demands our fullest engagement to end such acts, to support local initiatives to help victims and to bring perpetrators to justice. I need not remind the Council that such acts constitute serious violations of international

humanitarian, human rights and criminal law. I would therefore like to ask the Council to investigate this issue further.

The need to separate civilians from combatants also remains one of the key protection challenges. The presence of combatants in camps for refugees and internally displaced persons drastically increases the vulnerability of civilians. A particularly disturbing development in that context is the continuing use of refugee camps in West Africa as recruiting grounds for armed groups, and in particular for the forcible recruitment of children. Resolution 1479 (2003), which explicitly mandates the United Nations military liaison group attached to the Office of the Special Representative of the Secretary-General to monitor the security of Liberian refugees in Côte d'Ivoire, is an important step in better addressing this issue.

As recent weeks have again shown, situations of armed conflict are invariably accompanied by a general breakdown in security and law and order. For example, it was palpable during my recent mission to Iraq that the desire for a quick restoration of security and law and order was the foremost concern of all parties, including Iraqis with whom I met. In the security vacuum that has evolved, looting and violent crimes have become persistent obstacles to the resumption of normal life, and have exacerbated the suffering of an already vulnerable population. Hospitals have gone unprotected, electrical and water sanitation plants have become open supply grounds for looters, and humanitarian assistance has been held back. In short, the breakdown in law and order has severely disrupted all sectors of public and private life. In situations of transition, therefore, it is crucial that law and order — including police, courts and prisons — be re-established quickly and as a measure of utmost priority, in order to enable civilians to regain a semblance of normalcy in their lives.

It has become almost commonplace in recent years to recall that the disarmament, demobilization, reintegration and rehabilitation (DDRR) of combatants is a complex challenge. However, I would like to reiterate that DDRR is fundamental to the protection of civilians, particularly during the transition to peace. Demobilization and reintegration cannot happen if disarmament does not take place. The disarmament of combatants — including the thousands of child soldiers in the Democratic Republic of the Congo, for example — is a key prerequisite to the protection of a civilian population tormented by years of war. I would therefore like to use this opportunity to ask the Council to give serious consideration to more proactive disarmament measures aimed at curtailing the violence against civilians in the Democratic Republic of the Congo, thereby stabilizing the peace process in that war-torn country.

Safeguarding the security of their humanitarian personnel remains a key challenge for the United Nations and its humanitarian partners. Recent months have witnessed ongoing threats and horrific attacks against humanitarian personnel in Liberia, Côte d'Ivoire, the occupied Palestinian territory, Chechnya, Afghanistan, the Democratic Republic of the Congo, Somalia and Sudan, among others. The death of six humanitarian workers in Liberia and Côte d'Ivoire at the beginning of the year, the deadly attack on an ICRC colleague in Afghanistan, the fate of some 100 humanitarian workers who remain unaccounted for in Liberia since an attack on the border town of Zwedru in March 2003, and the kidnapping of many other humanitarian colleagues mark a disturbing trend of blatant disregard for humanitarian principles and of deliberate targeting of humanitarian workers for political or tactical purposes. By further restricting humanitarian access, these acts ultimately aggravate the suffering of the civilian population.

I would therefore like to encourage the Security Council mission to West Africa to stress to the parties once again — Governments and armed opposition groups alike — the obligation to ensure the safety and security of humanitarian personnel and to ensure that those responsible for the attacks are promptly brought to justice. Specifically, I would like to ask the mission to demand, as a matter of urgency, the safe return of the missing United Nations and NGO workers in Liberia.

The important issue of protection from sexual exploitation and abuse by humanitarian workers and peacekeepers has remained a priority for the United Nations and its implementing partners. Specifically, there are three significant developments to note in that respect.

First, as has already been reported, last July the Inter-Agency Standing Committee adopted a plan of action that established six core principles representing the minimum standards of behaviour expected of all United Nations civilian staff members. A Secretary-General's bulletin that will incorporate those core

principles into the codes of conduct and staff rules and regulations of all member organizations will soon be issued. This will have the effect of applying the core principles to all United Nations civilian personnel.

Secondly, peacekeeping missions have started to incorporate these issues into their rules. Obviously, that is a very important step. In that connection, I welcome the codes of conduct regarding the prohibition of sexual abuse and/or exploitation that have been adopted by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the United Nations Mission in Sierra Leone (UNAMSIL).

Thirdly, several Member States have complemented the United Nations policy by formally adopting — or being in the process of adopting — policies requiring the incorporation of the six core principles into their funding agreements with operational partners. I commend Member States that have taken that essential action and would like to encourage others to follow their example.

Finally, allow me just a brief observation on the status of the internally displaced. While the promising peace processes in Angola and the Sudan have allowed humanitarian assistance finally to reach most internally displaced populations in those countries, generally speaking, internally displaced persons remain the group that has the least access to protection and humanitarian aid. That was again confirmed during my recent mission to Colombia last week, where I was able to witness first-hand a situation that easily ranks among the worst internally displaced persons crises in the world.

Over the past decades of conflict in Colombia — a conflict that has come to involve trafficking of illicit narcotics and terrorist-related issues — an estimated between 1 and 3 million civilians have been forced to flee their homes, as illegal armed groups are deliberately targeting civilians. While recognizing the difficult challenges faced by the Government in addressing that very complex crisis, the current anti-terrorist measures have raised certain concerns. Those operations must not result in restricting humanitarian access or call into question the civilian character of the population in targeted areas.

Before concluding, I want to take the opportunity of my last briefing to the Security Council to reflect briefly on the progress achieved over the past few years in the area of the protection of civilians and to suggest some action that is still necessary towards that end. I have been privileged to witness how much work has been done to promote the greater sensitivity and responsibility of Member States towards the pleas of civilians caught in conflict. While greater awareness is not always reflected in a greater observance of principles, it is nonetheless the key element in pushing for change.

I am therefore reassured that the framework for the protection of civilians initiated by this Council on 12 February 1999 (S/PRST/1999/6) is now well established within the United Nations system. The aide-memoire is becoming a regular point of reference for the Security Council in its considerations and has started to guide the drafting of mandates of peace operations. An even more systematic application will ensure that the culture of protection called for by the Secretary-General is reflected in all aspects of the work of the Organization relating to peace and security. Also, by bringing together the mandates and skills of departments and agencies across the United Nations system, and even beyond, the document has already contributed to a more effective and coherent humanitarian response in this area.

To remain a living document, however, the aide-memoire must continue to reflect the evolving nature and actual needs of protection. Therefore, I would like to recommend that an update of the aide-memoire be presented to the Council, along with the road map, at the next briefing on this issue in December.

Yet, much more clearly needs to be done. More support is required to facilitate the incorporation of the Guiding Principles on Internal Displacement into national legislation and to implement it. The recognized norms and principles of international law, most notably the Geneva Conventions and the 1951 Geneva Refugee Convention, need to be fully respected and implemented.

On the advocacy side, further regional workshops to disseminate analysis and awareness on the protection of civilians are needed, with an expanded focus on workshops in zones of conflict.

In concluding, I would like to remind all of us that the culture of protection urges us to put the individuals in need of protection at the centre of our efforts. It is the millions of voiceless that require our attention and commitment. It is the father who is too

powerless to protect his family from brutal attacks; the mother who has no access to medical care and is helpless to save her sick child; the young child who wakes up each morning faced with the trauma of war and violence and a life without a future; the teenage girl who has been brutally raped and may never fully recover from the injuries she has suffered.

Those are the people who are depending on us. They will judge our success — success that will be determined by the number of people we are able to protect as a result of swift and decisive action. That is the ultimate purpose of our work: the humanitarian imperative. The Council's continued commitment to that shared goal is vital.

The President (*spoke in Russian*): I thank Mr. Oshima for his comprehensive briefing. I now give the floor to the members of the Council who would like to ask questions and make comments on the briefing.

Mr. Pujalte (Mexico) (*spoke in Spanish*): Mexico wishes to thank the Russian Federation for its timely initiative of convening this public meeting on the protection of civilians in armed conflict. We also wish to express our appreciation to Mr. Oshima for the work he has accomplished in recent years in consolidating the humanitarian assistance activities for the protection of civilians in armed conflict.

The first consequence of the increase in conflicts and violence is the suffering of the civilian population. Entire populations have to leave their places of origin, fleeing the aggression to which they are subjected.

Undoubtedly, the Security Council has the responsibility of taking action to prevent aggression and violence against civilians. To achieve that objective, it is essential to adopt an integral approach, which, in our opinion, should consist of three elements. The first element is the prevention of conflict itself. The second — in agreement with Mr. Oshima — is the promotion of a culture of respect for human rights and humanitarian standards. The third, related element is the eradication of impunity.

Furthermore, when we talk about civilian victims in armed conflicts, whether refugees or internally displaced persons, in most cases we are in fact talking about women, children and the elderly. We are talking about rape, violent abuse, sexual enslavement and the forced recruitment of children.

For that reason, the Security Council must include in the peacekeeping operations it authorizes concrete measures and effective provisions to promote a gender perspective, as part of the integral approach that I have just mentioned.

The adoption of measures such as resolution 1460 (2003) on children and armed conflict is a step in the right direction. Its practical implementation in the specific case of the Democratic Republic of the Congo demonstrates the positive impact that the Security Council can have on the ground.

Because of the importance of this issue and its implications, we urge the Secretary-General to move to an earlier date the presentation of his next report on this subject, originally scheduled for June of next year, so that the Council can evaluate his proposals and promote their implementation as soon as possible. Likewise, we consider it necessary that the Security Council be informed on progress made in strengthening cooperation among the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights and the Office of the United Nations High Commissioner for Refugees so that the guidelines and/or agreements reached among them can be considered by this body in the establishment or strengthening of peacekeeping operations related to different conflicts on the Council's agenda.

We note that in spite of the Council's continued appeals to the parties to armed conflicts to comply strictly with the provisions of the United Nations Charter and with the norms and principles of international law, in particular international humanitarian law, in practice these norms and principles are ignored. We wonder how this process can be reversed. In Mexico's opinion, there are several strategies we could follow.

First, at the macro level, the United Nations and States must fully publicize the obligations of parties and the rights of individuals in situations of conflict. It is not enough for States to sign and ratify treaties and conventions if the people for whom they are intended are not familiar with them. We are pleased to see the continuation of the regional workshops on fundamental concepts relating to the protection of civilians, to which Mr. Oshima referred. We reiterate our interest in

participating actively in the workshop to be organized for the Latin American and Caribbean region.

Secondly, at the field level it is essential that in any peace agreement, in any resolution coming from this body, we seek to ensure due protection for humanitarian organizations, including the International Committee of the Red Cross and other non-governmental organizations, and their unrestricted access to the zones of conflict. Likewise, we must promote full access by humanitarian personnel to vulnerable populations, separate civilians from armed elements and seek measures that restore the rule of law and promote justice and reconciliation in States affected by armed conflict.

That is why my delegation presented a draft resolution on the protection of humanitarian personnel. We would like to thank Mr. Oshima and all his staff for the information on restrictions and threats and dangers confronting humanitarian personnel and for the suggestions they provided in the preparation of this draft. The draft seeks to be an initial response by the Security Council to this problem, providing elements for an effective protection mechanism. My delegation is confident that this draft resolution can be adopted unanimously in the near future.

Once conflicts are over, a series of measures must be implemented to avoid their recurrence. My country considers it essential to promote the intensive use of confidence-building measures, including the establishment of disarmament, demobilization, rehabilitation and reintegration programmes for combatants, and measures for the consolidation of the rule of law. The successful implementation of such measures will mean not only progress in the protection of civilians, but also the establishment of a needed link for their development.

One element of cohesion which could help in the integration and reconciliation of societies that have emerged from conflict is to ensure that violations of international humanitarian law do not go unpunished. Of course, every society must evaluate the best way of achieving this objective in order not to revive conflicts that have been overcome. While the practical implementation of those measures is the direct responsibility of the actors and States on whose territories conflicts take place, there is also a need for the support and cooperation of the other members of the international community, including neighbouring States.

That is why we believe that the creation of the International Criminal Court represents an unprecedented step forward to complement the efforts of national jurisdictions to bring to justice those persons who commit crimes against humanity. We are convinced that the Court, once it has achieved universality, will be a fundamental tool in the eradication of the culture of impunity that characterized the twentieth century. We wish to recall here the old adage that no one is above the law. Mexico appeals to all States to fulfil their obligation to bring to justice those responsible for war crimes, crimes against humanity and other grave violations of international humanitarian law, in accordance with national legislation and with international law itself.

To attain that objective, it is a matter of priority to ensure the implementation of an integrated approach that includes the different stages of the problem and the elements to which we have referred. Mexico will continue to support efforts to protect civilians in armed conflicts.

Sir Jeremy Greenstock (United Kingdom): We are very grateful for this report from Mr. Oshima and the whole team in the Office for the Coordination of Humanitarian Affairs (OCHA). It is very useful to remind the Council of our commitments to protect civilians in armed conflicts and to back up the objectives of the aide-memoire (S/PRST/2002/6, annex). This means, as Mr. Oshima suggested this morning, the linking together of the various categories of risk to civilians and dealing with them comprehensively. That is why we have always placed an emphasis on mainstreaming these issues across a broader framework in order to take the commitments forward and put them into operation. This needs to take place both here at the United Nations and in the field, and within our own delegations, our own Missions, and in our capitals. Otherwise, we are not doing the groundwork that makes mainstreaming work.

In this respect, the United Kingdom is working to identify where policy links and interoffice working could be achieved to secure a closer relationship between, for instance, protection of civilians and peacekeeping policy in its operational form. We very much support both the initiative behind the aide-memoire and the substance in it. It is an effective tool

for operationalizing a protection approach, and we would like to see Member States, the Secretariat, the agencies and United Nations offices everywhere identify cross-cutting ways of working to achieve the goals in the aide-memoire and to respond to the Council's approach in mainstreaming protection. In that respect we very much support the intention to make proposals to update the aide-memoire in the next six-monthly report.

We were interested to hear about the establishment of the implementation group in the Executive Committee for Humanitarian Affairs, and we very much hope that Mr. Oshima's successor will be able to update us on the work of this group and what its discussions point to in terms of the scope, shape and resourcing of peacekeeping operations. It would perhaps be a good idea to let the Council know, before the next six-monthly report, of the agreed objectives for the Executive Committee and its implementation group and give us some ideas on how Member States can help the group to achieve them.

I have one or two questions coming out of Mr. Oshima's report to us this morning. On mainstreaming, can OCHA point to any changes or improvements in how the system is managing mainstreaming both at Headquarters and in the field? I cross-reference my question on this with resolution 1325 (2000) and our work on gender mainstreaming. It has been brought home to us in the United Kingdom delegation that, although there is of course a certain amount of rhetoric behind resolution 1325 (2000), it does lay a basis for groups in the field to operationalize the objectives and aims set out in that resolution. We would like the same to apply to the work on mainstreaming of protection and the text of and follow-up to the aide-memoire.

We were very glad to hear about the beginning of the workshops on protection of civilians. Mr. Oshima this morning referred at several points to the forthcoming West Africa mission of the Security Council. I wonder whether the outcome of the Accra workshop could be conveyed to us in writing so that we can take account of it, both as we go round on next week's mission and in writing our report, particularly in view of any lessons that the workshop produced that can be learnt from experience to date.

Finally, members are used to hearing me mention the need for the Security Council to work with other parts of the United Nations system. I wonder whether OCHA sees a role for Security Council discussion with the Economic and Social Council in the area of protection of civilians and whether there are other parts of the United Nations system which, from the overview that OCHA has of the whole humanitarian area, Mr. Oshima would like us to continue to pursue.

I should like to end by warmly thanking Mr. Oshima for his excellent work and his steady leadership during his tenure as Under-Secretary-General and Emergency Relief Coordinator. It has been a period in which humanitarian affairs have, I think, increasingly taken a higher profile in the work of the United Nations and within Council discussions. His briefings to us and his work in our areas have been clear and thought-provoking, as his report was this morning. The United Kingdom is very glad to continue to support the work of OCHA and we wish Mr. Oshima every success for the future.

Mr. Traoré (Guinea) (*spoke in French*): I wish to thank you, Sir, for having organized this meeting on a subject of extreme importance.

Allow me also to thank Mr. Kenzo Oshima for his briefing, which once again has stressed the need to protect civilians in armed conflict. At a time when he is preparing to leave his post at the head of the Office for the Coordination of Humanitarian Affairs, I should like to express to him and to all his colleagues the deepest appreciation of my delegation for their work.

In the report that he submitted to our Council at the public meeting of 10 December 2002, the Secretary-General outlined key measures to be undertaken, including ensuring access of vulnerable populations to humanitarian services, the separation of civilians from armed elements, the restoration of the rule of law and the promotion of national reconciliation. He also emphasized the dangers posed by sexual violence, the exploitation of conflicts for commercial purposes and the rise of terrorism in armed conflict.

In this regard, I am pleased to reiterate my delegation's proposal regarding the establishment of a multidisciplinary group to conduct a comprehensive study of all the recommendations and proposals so as to integrate them into a more functional and homogeneous framework. It is clear, however, that this can be accomplished only over time and in a coordinated framework.

We welcome the initiatives taken by the United Nations, together with a series of partners — particularly those involved in the humanitarian field — in order to prevent complex emergency situations whose main victims are vulnerable persons. The regional workshops organized by the Office for the Coordination of Humanitarian Affairs have contributed to a broader dissemination of such initiatives. We welcome the holding of the Accra workshop on 19, 20 and 21 May 2003. My delegation hopes that its conclusions will make it possible to strengthen provisions taken by the States of South-West Africa that are facing chronic instability.

The efforts of the United Nations have made it possible to establish a frame of reference for rules on the protection of civilians in armed conflict. My delegation wishes to express its deep concern over the many dangers, including murder, to which humanitarian workers are exposed in conflict or post-conflict situations and which jeopardize or hinder the pursuit of their activities, to the detriment of millions of human beings in urgent need of aid or assistance. My delegation condemns such acts and wants to see their perpetrators prosecuted and punished, along with egregious violators of human rights.

In conclusion, the recommendations contained in the various reports of the Secretary-General, the aide-memoire and road map are valuable reference points for the protection of civilians in armed conflict. It is simply up to us to put them to good use with resolve and in a constructive spirit.

Mr. Pleuger (Germany): I think it is most appropriate that Under-Secretary-General Oshima's last briefing to this Council should be on the issue of protection of civilians in armed conflict. No one in the United Nations system, I think, has done more to put the protection of civilians in armed conflict high on the United Nations agenda than Kenzo Oshima. This has truly become his flagship issue and we are looking forward to the finalized road map to be submitted by December, as announced by Mr. Oshima.

Despite impressive progress within the United Nations system itself, we cannot overlook the fact that we confront massive challenges on the ground. In the face of mass killings of civilians in the Democratic Republic of the Congo, to name just one of the most shocking examples of blatant disregard of international humanitarian law, there is no reason whatsoever for complacency. Without secure access to areas of crisis, there is no way of effectively delivering humanitarian assistance by the international organizations or by non-governmental organizations, which play an ever increasing role in this.

Over 90 per cent of all victims of armed conflict today are civilians and, very often, the most vulnerable members of society — children and women — are most seriously affected. Unfortunately, we see no sign of this trend abating. In asymmetric conflicts, such as in the cases of failing States or terrorism, civilians are very often the main target of attack. The Council has stated time and again that it is primarily the responsibility of the belligerents themselves to respect their obligations with regard to the protection of civilians.

In this context, it is, in our view, of utmost importance that all States sign and ratify the core humanitarian legal instruments, including the Additional Protocols to the Geneva Conventions of 1977. However, those belligerents who violate the obligations today will not even begin to heed these obligations tomorrow if the United Nations, and the Security Council in particular, do not send them a strong message that the protection of civilians is our top priority and that we will not sit idly by when the most basic rights of the most vulnerable are violated.

We must persevere both in the Council and in the wider system in our efforts to further prioritize and mainstream the protection of civilians in armed conflict. Here, we share the questions and concerns raised by Ambassador Greenstock. Only by further prioritizing and mainstreaming the protection of civilians in armed conflict will our efforts to ensure that all belligerents adhere to their international obligations bear fruit.

In conclusion, allow me to thank Mr. Oshima for everything that he has done and congratulate him on the success in his work so far. We wish him well. We would also tell him that we will continue to support the important work of the Office for the Coordination of Humanitarian Affairs.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to express its deep gratitude to you, Mr. President, for convening this important meeting on the protection of civilians in armed conflict. We concur with what you said about how much we will regret the departure of Ambassador

Traoré, who has made earnest and unstinting efforts here at the Security Council and elsewhere in the maintenance of international peace and security. Our missions have enjoyed a special bond, which reflects the relations between our two fraternal countries. We wish Ambassador Traoré every success in his future endeavours.

My delegation would also like to thank Under-Secretary-General Oshima for the important comprehensive report that he has presented to us.

The importance of the issue stems from the fact that the overwhelming majority of the victims of armed conflict are civilians, millions of whom have been killed during the past decade. Armed conflicts have also displaced tens of millions of civilians, including countless women and children, who have been deprived of a dignified life that is free from fear.

It is regrettable that Africa continues to experience situations of armed conflict, which have devastating effects on innocent civilians. By way of example, we cite the recent suffering of innocent civilians in the Ituri region in the Democratic Republic of the Congo, which is still fresh on our minds. We hope, in this regard, that the United Nations Organization Mission in the Democratic Republic of the Congo and the transitional multinational force led by France will continue to prevent attacks against innocent civilians.

The United Nations has made significant progress in recent years in tackling this question. Much remains to be done, however, if we are to reach our desired goal, which will require the political determination and will of the international community and its institutions. Protection of civilians in armed conflict must be a top priority for the United Nations in the coming years if it is to adequately deal with the problem.

The Middle East region offers the clearest example of suffering of civilians in armed conflict. The most vivid example of the problem is the failure of the international community thus far to shoulder its responsibilities for the protection of the unarmed Palestinian people. The number of Palestinian victims, including women, children and the elderly, over the last two and a half years amounts to more than 2,460 martyrs and tens of thousands of wounded and disabled. This is not to speak of the practices that Mr. Oshima touched upon in his statement before the Council this morning, such as the constant closing of Palestinian towns and villages, blocking the delivery of supplies and medicines to Palestinians and preventing them from getting to hospitals and clinics. Such practices are no different from those that Israel carries out in the occupied Syrian Golan.

My delegation believes that the Fourth Geneva Convention must be strictly respected in the occupied Palestinian territories, the occupied Syrian territories and all conflict zones in the world. This requires that the international community promptly apply international instruments to provide civil and legal protection under international humanitarian law and continue to apply pressure in that regard.

My delegation affirms that reconciliation and justice must necessarily go hand in hand in order to deal with the root causes of conflict and prevent impunity. We wish to stress the need to prevent parties engaged in conflict from enjoying impunity.

The Secretary-General is to be commended for presenting several reports on the plight of the victims of armed conflict and the gross violations of human rights, so that such issues can occupy a more prominent position in the deliberations of the United Nations, including in the Security Council.

The growing cooperation among the various organs, agencies and departments of the United Nations is an important factor in strengthening the work of United Nations mechanisms to protect civilians in armed conflict. We welcome the current cooperation between the Department of Peacekeeping Operations, the Department of Political Affairs and the Office for the Coordination of Humanitarian Affairs.

Finally, my delegation would like to express to Mr. Oshima its great appreciation for all the sincere efforts that he has made in the service of the lofty aims of our international Organization and his admirable dedication in shouldering his responsibilities to make our world more capable of coping with the humanitarian questions and challenges it faces. We wish Mr. Oshima every success in his future endeavours.

Mr. Duclos (France) (*spoke in French*): I would like to thank Mr. Oshima for his very detailed and informative briefing. We share his assessment of most of the points he raised and, in particular, of the importance of the topic that he addressed this morning, the protection of civilians in armed conflict. He alluded

to some recent situations that highlight the importance of this issue. There is Iraq, of course, where there is occupation and where it is therefore essential that that the occupying powers comply with the obligations to protect civilians that are incumbent upon them.

As Mr. Oshima indicated, this relates also to the Democratic Republic of the Congo; several of us have emphasized the magnitude of the problems occurring there. Bunia provides a specific example of the role played by the protection of civilians in conflicts, since the principal objective of the multilateral mission that was established is to ensure such protection in that specific location. At the same time, the success of the mission will probably cause a flow of civilians and refugees, which in turn will increase the need for protection.

Finally, I should perhaps mention briefly the situation in Liberia, which Mr. Oshima described perfectly. I believe that it already appears to be the next crisis for which the Council will have to try to find solutions with an essential protection-of-civilians component. I also agree — as did Ambassador Greenstock — with Mr. Oshima's suggestions concerning the Security Council's forthcoming visit to West Africa.

To that overall assessment, I should like to add three observations. First, it seems to us that confusion may arise between the role of peacekeeping missions in the area of protecting civilians, on the one hand, and that of assistance operations carried out by humanitarian organizations, on the other. In both cases, we are trying to attain the same results and objectives, but, at the same time, confusion between the two types of action would put the sought-for objectives at risk. Therefore, it appears to us that we need to work within a clear framework, defining the respective responsibilities of the humanitarian and military actors involved in this type of situation.

Secondly, I should like to take this opportunity to pay particular tribute to humanitarian personnel, who, as Mr. Oshima pointed out, have recently paid a heavy price in carrying out their noble mission. To us, it is particularly shocking that people who devote themselves to looking after the most vulnerable are themselves subjected to deliberate attacks and violence. In that regard, it seems to us that a clear, firm and unambiguous reminder from the Security Council regarding the obligations of all parties to a conflict would be particularly welcome.

Thirdly, I should like to say that we approve of Mr. Oshima's suggestion concerning the usefulness of an updated aide-memoire at the end of the year. It seems to us that such an exercise would enable us, inter alia, to take into account the lessons drawn from peacekeeping missions, with particular regard to the United Nations Organization Mission in the Democratic Republic of the Congo.

Finally, I too should like to commend the work accomplished by Mr. Kenzo Oshima at the head of the Office for the Coordination of Humanitarian Affairs. We are all aware of the decisive role that he has played to ensure, in particular, that we take better into account the protection of civilian populations.

Mr. Zhang Yishan (China) (*spoke in Chinese*): As previous speakers have covered many of the points I had intended to cover, I shall refrain from repeating them and shall be brief.

At the outset, I should like to thank Mr. Oshima for his very detailed briefing. We wish to express our appreciation for what he has accomplished on behalf of the protection of civilians in armed conflicts.

The protection of civilians involves efforts on many fronts. The international community and the relevant United Nations agencies should work together in synergy, enhancing their cooperation in various fields, to help innocent civilians in armed conflicts to have access to food, drinking water, medicine and other humanitarian assistance and to help refugees and internally displaced persons to return to their homes as swiftly as possible so that they can resume their normal lives, thus minimizing the harm inflicted on them by war and violence.

We are pleased to note that the relevant recommendations contained in the Secretary-General's report (S/2002/1300) are being implemented, and we hope that the relevant United Nations agencies will finalize the road map for the protection of civilians in armed conflict and will agree on time frames for the completion of responsibilities and on the division of labour among those agencies.

Mr. Khalid (Pakistan): At the outset, let me join my colleagues in expressing our appreciation for the accomplishments of the Office for the Coordination of Humanitarian Affairs (OCHA) under Mr. Oshima's

leadership. As we bid him farewell, we wish him every success in the future.

We are also sad to see Ambassador Traoré leaving us. We recall his able handling of the Council's deliberations during the Guinean presidency in March. We greatly value his friendship. As Ambassador Akram is not with us today, I should like, on his behalf and on behalf of the delegation of Pakistan, to express to Mr. Traoré our best wishes for every success in his future endeavours.

In view of the proliferation of armed conflicts around the world, and in the light of the Security Council's resolutions based on the reports of the Secretary-General relating to the protection of civilians in armed conflict, one can hardly overemphasize the importance of the activities undertaken by OCHA. Since more than 75 per cent of the casualties that occur in such conflicts happen to be those of civilians, it is essential that concrete measures be taken to reduce to a minimum the threat to the lives and property of civilians, particularly of the most vulnerable groups: children, women and the elderly.

In that context, the training and awareness activities undertaken by OCHA are commendable. We feel that, in order to further strengthen those activities, more tenacious efforts are needed, particularly to implement the recommendations made by the Secretary-General. For action in the near future, the Council could consider a few suggestions.

First, it would be worthwhile to conduct an analytical study of the recommendations of the Secretary-General in order to identify reasons for the delay in their implementation and measures that need to be taken for their speedy and effective implementation.

Secondly, the workshops organized by OCHA in various parts of the world should be transformed from individual, ad hoc projects into a well-defined global programme of action in terms of capacity-building and awareness-raising.

Thirdly, the coverage of such a programme should be global, with a special emphasis on coverage of countries that have suffered from armed conflicts and of regions that remain crisis-prone. Once those countries and regions have been covered, the programme could continue elsewhere, according to the wishes of the interested countries.

Fourthly, the training and awareness workshops should have concrete follow-up, and measures should be taken to enable countries to have their own national programmes for continuation of the process of capacity-building so that the number of civilian casualties can be reduced. In fact, we should recognize that, just as we help build the capacity of countries to face the challenge of natural disasters, so should we also face the challenge posed by man-made disasters.

Most important, there is a need for strict application of, and adherence to, international humanitarian law in armed conflicts. That has been pointed out by other speakers too. In that context, I would like to draw the Council's attention to our part of the world. In Jammu and Kashmir, documented blatant disregard for international humanitarian law and massive violations of human rights by the occupying Power have greatly exacerbated the suffering of the Kashmiri people and have rendered the need for an urgent solution imperative. Addressing concerns related to international humanitarian law in armed conflicts can be a positive first step towards the peaceful solution of such conflicts and disputes.

Finally, it goes without saying that OCHA needs to be provided the financial and human resources necessary to carry out the functions that are clearly part of its mandate, which has been decided by the Secretary-General and recognized by the Security Council.

Mr. Muñoz (Chile) (*spoke in Spanish*): First of all, I wish to convey my best wishes to Ambassador Traoré of Guinea as he leaves the Security Council. I also wish to express my gratitude to Mr. Oshima for the vital work he has done in the humanitarian field, and in particular in the area of the protection of civilians in armed conflict.

I would like to digress from the excellent notes that have been prepared by members of my delegation, to tell Mr. Oshima and the Council that the subject of the protection of civilians in armed conflict is probably at the very heart of the credibility of the United Nations, given that the Organization is expected to protect people in real-life crises. In that regard, we note that women, children and older persons are increasingly the main victims of armed conflict. That means that the task of protecting civilians is absolutely essential; otherwise people will have the impression that the Organization is unable to be effective or

operational in addressing such a basic priority as protecting innocent human beings in armed conflict.

Therefore, my country, along with a number of other States Members of the Organization, has for some time been very interested in taking part in a human security network aimed at changing the focus of security, which has traditionally been State-centred. There is certainly a State dimension to security; but there is also a human dimension. Ultimately, our concern is the real impact of conflict on real flesh-and-blood human beings. In that context, it seems to us that the concept of human security that has been developed is directly related to the humanitarian efforts outlined to us by Mr. Oshima.

In reality, the availability of weapons during and after an armed conflict means that the main victims are innocent people, especially children. We have seen that in Central America, where there have been many deaths after the end of civil wars due to anti-personnel mines and the availability of weapons that end up in the hands of criminal groups. The result is the death of many thousands of civilians. There is also the issue of the availability of small arms and light weapons, about which the Organization has expressed its concern. It therefore seems to us that this is truly a fundamental concern.

The danger lies in the fact that the vulnerable are sometimes not merely victims of armed conflict; as Mr. Oshima has said, they are often the explicit targets of armed groups. He mentioned the case of Colombia, a neighbouring Latin American country where the killing and kidnapping of civilians clearly indicate that civilians are no longer chance victims but, rather, the main targets of terrorist acts.

With regard to how to respond to this, I would like to commend the work described to us by Mr. Oshima to raise awareness of this issue — for example, the holding of regional workshops. We are of course prepared to participate actively in the regional workshop in Latin America and the Caribbean.

Apart from the great importance of that work, however, we believe that, in the end, it is vital that violations of humanitarian norms result in concrete punishment in the competent courts. In other words, humanitarian crimes must not go unpunished. The sole lesson should be that those who perpetrate these crimes will be punished and put in jail. Years may sometimes pass, but sooner or later those who commit these crimes must be brought before a court. We believe that is the best lesson that can be taught in order to prevent violations of humanitarian law in armed conflict and to avoid having civilians suffer the worst consequences of these conflicts. Emphasis must therefore be placed on punishment and on ending impunity. We consider that to be fundamental, without prejudice to the other initiatives described to us by Mr. Oshima, which we support most enthusiastically.

Finally, in addition to expressing our support to Mr. Oshima, we would also like to state our backing for the idea put forward by Norway and the Office for the Coordination of Humanitarian Affairs to establish a support group in the area of the protection of civilians in armed conflict. We wish Mr. Oshima the best of luck, and we emphasize that what he has referred to in his semi-annual report is of the utmost importance to the Organization and the Council.

Mr. Tidjani (Cameroon) (*spoke in French*): At the outset, my delegation would like to associate itself with the comments made by the President in conveying best wishes to Ambassador Mamady Traoré. We also wish to say how pleasant it has been to work with Ambassador Traoré. We have been enlightened by his thoughts, both professionally and on a more personal level, and we hope to be able to continue to benefit from them. I hope that in his future endeavours he will have experiences as edifying as those he experienced in the Security Council.

I would also like to thank the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Kenzo Oshima, for his excellent presentation concerning the progress that has been made and the challenges that remain six months after the holding of a debate in the Council on this matter in December 2002.

My delegation expresses its great appreciation for the Organization's tireless efforts to encourage the parties to armed conflicts to respect their obligations and responsibilities with regard to protecting civilians. .During the Council's last meeting on this issue, on 10 December 2002, Secretary-General Kofi Annan very pertinently pointed out that civilians make up the majority of casualties in armed conflicts. They are subjected to horrifying violence and violations of human rights, and they are refused the assistance that must be extended in times of war. Strengthening the protection of civilians is essential for peace and

security throughout the world. During that meeting, we proposed taking concrete measures and adopting a more systematic approach with respect to this problem.

Yesterday's challenges continue to be today's challenges: all kinds of violence against women and children, who are usually the first victims, humanitarian crises, the exploitation of conflicts for terrorist and commercial purposes — I do not want to go through the full extent of the tragedy that civilians experience. Mr. Kenzo Oshima gave us a very expressive picture of all this, particularly in Central and West Africa.

The international community has not failed to react — far from it. The road map for the protection of civilians supported by Council resolutions 1265 (1999) and 1296 (2000) has now given States a framework of concrete measures to be implemented for the protection of civilians in times of conflict. We should also welcome the Council's adoption on 31 October 2000 of resolution 1325 (2000) on women and peace and security, which constitutes an integral part of the relevant provisions.

The delegation of Cameroon therefore expresses its genuine satisfaction with Mr. Oshima's excellent briefing. It has the merit of placing the Council's current debate in its real context. He has described the efforts of the Office for the Coordination of Humanitarian Affairs (OCHA) to implement the aide-memoire adopted by the Council on 15 March 2002 (S/PRST/2002/6, annex), which is without doubt one of the major instruments for understanding issues related to protecting civilians in armed conflict, since it provides a broad framework for understanding and analysing such issues. His efforts have been notable in the holding of regional workshops open to civil society, non-governmental organizations and State entities to raise awareness of the complexity and interdependence of the problems created by the vulnerability of civilians in armed conflicts and to create a real political will. We believe that those regional workshops are an effective means for identifying the specific difficulties encountered on the ground in protecting civilians and for seeing how we can establish links and coordinate the actions of the various organs working on the ground for the protection of civilians. In that context, I share the observations of Ambassador Duclos on the need for a more rational approach by each actor with respect to the protection of civilians and the maintenance of peace.

Those regional workshops must encourage the various parties to a conflict to face up to their responsibilities. They must also make clear to them the consequences of acts they commit in violation of human rights and of other norms of humanitarian law. Impunity can in no way be permitted.

The progress made also extends to the appropriate measures taken, for example, to separate armed elements from civilians in refugee camps, to facilitate humanitarian personnel's access in safe conditions to populations in distress, to assist in the restoration of the rule of law, and to set up a comprehensive programme of disarmament, demobilization and reintegration. Enormous progress has been made, but much remains to be done. The Council's efforts must therefore be supported by the genuine collective will of the international community and increased cooperation among all actors.

The Secretary-General announced in his third report (S/2002/1300) that OCHA will devote itself, with other agencies of the United Nations system, to exploring further the ideas underlying the road map for the protection of civilians. My delegation wishes to know what stage that project is at. What major characteristics have been identified? How can it assist States in their actions to help civilian populations?

I cannot fail to conclude without paying tribute to Mr. Oshima for all his work at the head of OCHA. I am convinced that this reflection on the progress made, to which he decisively contributed, and the suggestions he made at the end of this mandate will be made use of in a positive manner by the Security Council.

Mr. Oyarzún (Spain) (*spoke in Spanish*): First, I wish to thank the Under-Secretary-General, Mr. Oshima, for his briefing on the protection of civilians in armed conflict. My delegation is very pleased that the Council is dealing on a regular basis with this issue, which is of such vital importance to people's lives. We are also very satisfied by the excellent work done by Mr. Oshima.

I would like to focus on those elements of Mr. Oshima's briefing that I consider to be most relevant. First, with respect to the culture of protection, thanks to the reports of the Secretary-General and the workshops held in recent months, we have managed to make the culture of the protection of civilians steadily take root in our societies. However, that progress is not enough. There are still those many cases of brutal

violations to which Mr. Oshima has referred. We must therefore redouble our efforts in order to achieve patterns of protection of civilians in armed conflict. In that context, the road map and the group for the protection of civilians, presided over by Mr. Oshima, are very valuable tools that Spain supports.

Limited access — or measures to restrict access — in areas of conflict is perhaps one of the most crucial issues that we will deal with in today's open meeting. Lack of access means that vulnerable groups are left at the mercy of the abuses that, unfortunately, occur in conflicts. Lack of access results in thousands of persons being deprived of the international community's assistance, and in those people having to experience the worst horrors of war without anyone being able to witness their suffering.

My third comment deals with the cases of rape and atrocities against women and children. My delegation has listened with particular interest and concern to Mr. Oshima's statements on the tragic abuses committed against women and on the sexual exploitation and abuses with respect to humanitarian personnel. It is our responsibility to create the necessary mechanism so that those most brutal crimes in no way go unpunished.

The issues of disarmament and the separation of civilians and combatants are amply dealt with in the reports of the Secretary-General. In this regard, I should like to make two additional comments. First, disarmament is absolutely vital to preventing fresh outbreaks of violence. It must be appropriately monitored to ensure that reintegration can take place. Secondly, the separation of civilians and combatants is in all probability among the most important challenges we face, because when it fails to occur we see the most numerous cases of child abuse and recruitment in armed conflict.

In conclusion, I wish to express my delegation's concern about the tragedy of displaced persons who are obliged to abandon their homes. To date, despite unflagging efforts, the international community has been able to do little to prevent this. Given the specific circumstances of such cases, this group is among the most vulnerable and hardest to provide with humanitarian assistance. I believe that we are working in the right direction, but we cannot fail to do our utmost urgently to attenuate the suffering that, regrettably, afflicts many people. As the Ambassador of Chile quite rightly noted, the very credibility of this Organization will be gauged by our success in protecting the innocent.

Mr. Olson (United States of America): I will be brief, because most of our remarks have been covered by other members.

I would like to join other members in thanking Under-Secretary-General Oshima for his detailed and very sobering report, as well as for the hard work he has done in the area of protecting civilians in armed conflict throughout his tenure.

The United States has long believed that safeguarding civilians from the devastating effects of armed conflict is at the very heart of the United Nations Charter. Indeed, the work presented here today exemplifies the spirit of the Charter and the aspirations of this Organization's founders to protect the innocent and most vulnerable from violence of any kind, whether at the hands of soldiers or terrorists. We are confident that the information provided to us today will prove useful to the Council in its future deliberations when considering the protection of civilians in armed conflict.

The general principles of providing humanitarian access to vulnerable populations, the separation of civilians and armed elements, the restoration of the rule of law, justice and reconciliation are all fundamental to the protection of civilians and fully supported by my delegation and the others around this table. They are important issues which we hope to continue to discuss in the future.

My delegation fully supports the idea of further developing the road map for the protection of civilians and the implementation of many of the objectives it calls for. We will work with other members in that process to fully develop the road map. We reiterate our support for the Secretary-General's efforts to protect civilians in armed conflict and look forward to the next briefing in six months, as well as to the completion of the road map at that time.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

I should briefly like to offer my support for the assessments made by Mr. Oshima. I shall not repeat what he and my colleagues have said. We reiterate our support for the work of Mr. Oshima and his colleagues

in developing concrete steps and instruments and in implementing existing decisions on the protection of civilians in armed conflict. We are prepared to consider the ideas we have heard today.

At the same time, I would emphasize that, regardless of any new instrument we may develop and or of how we may stress the need for compliance with international humanitarian law, none of this makes any sense unless we pay specific attention to each particular conflict. We must not merely pay lip service, but give specific consideration to specific circumstances.

We have heard today about situations in which the civilian population needs specific protection and attention. We believe that the United Nations has gained useful experience in this area, including in Angola, Afghanistan, Indonesia and the Balkans. The need fully to respect international humanitarian law in Iraq was also alluded to today. We trust that the appointment of a special representative of the Secretary-General in Iraq will promote such respect.

Of course, I would concur with those who have noted the tragic situation of the civilian population in the Palestinian territories and the need to offer them protection. We know that a number of ideas have already been proposed in this regard, including by the Secretary-General.

The final point I would make is that civilians particularly suffer not only in armed conflict, but also from terrorism. This issue is within the purview of the Security Council. Terrorism represents an assault specifically against civilians. Although we all agree that, in armed conflict, the belligerents themselves are primarily responsible for taking measures to avoid harming the civilian population, terrorists, of course, cannot be appealed to in this respect because they view civilians as their main targets. Therefore, we can be nothing but merciless in the fight against terrorism. There is no other way. Of course, we must do our utmost to protect innocent civilians in that fight.

We note that this issue is under consideration by the United Nations. We would point to the resolution adopted by the General Assembly last year, at the initiative of Mexico, on protecting human rights and fundamental freedoms while countering terrorism. Russia, for its part, has proposed the development of a code for human rights protection that was discussed at the most recent session of the Commission on Human Rights at the initiative of our Minister for Foreign Affairs. The basic thrust of this initiative was reflected in decisions adopted at the session.

In conclusion, I reiterate our willingness to work with our colleagues in the Secretariat to work to improve existing instruments for the protection of civilian populations.

I now resume my functions as President of the Council.

I call on Mr. Oshima for some final comments.

Mr. Oshima: I would like first of all to thank the members of the Council for their very warm words to me and to the Office for the Coordination of Humanitarian Affairs (OCHA). I also thank the members of the Council for their continued commitment to the agenda for the protection of civilians, which has again been very clearly stated today. I trust that the members of the Council will extend the same support and cooperation to my successor, Jan Egeland of Norway.

If you would allow me, Sir, I would like to join members of the Council in expressing appreciation to Ambassador Traoré, because I, too, have had the pleasure and great honour of working with him — particularly during Guinea's presidency of the Security Council, but at other times as well — and especially on problems relating to West Africa. I thank him very much for his support and cooperation.

May I also say a few words in response to some of the questions posed and suggestions made today concerning the implementation of the aide-memoire and some aspects of the work done in promoting the agenda of protection of civilians.

First, the Ambassador of Mexico proposed that the next report of the Secretary-General on the protection of civilians in armed conflict be moved forward from next June. This suggestion is welcome, and we would like to look into the possibility and explore the opportune timing with the Council President. As indicated earlier, my Office is ready anytime to provide country-specific briefings on the situation of civilians to the Council, as well as bilateral briefings to delegations.

The delegation of Pakistan mentioned the possibility of a global workshop programme. We welcome this suggestion to move from individual,

occasional workshops to a more systematic and multiple-year programme. We will evaluate this proposal and the financial and personnel resources it requires once we have completed the current round of workshops.

Ambassador Greenstock, leader of the Security Council mission to West Africa, asked us to share the report of the recent workshop in Accra. We are of course happy to share with all members of the Council the report of the West Africa workshop, as well as the report of another that was recently held in Fiji. We will soon finish the reports of these workshops and will be happy to share them with all the members, as well as with the leader of the West African mission, Ambassador Greenstock.

In addition, we heard important suggestions concerning the work done by OCHA in close cooperation with other humanitarian agencies, as well as with political and peacekeeping departments within the Secretariat, on the protection of civilians. Specific questions were raised by Ambassador Greenstock and other members.

On mainstreaming, I acknowledge the importance of this issue and would like to highlight the fact that we are addressing it by establishing shared training on the protection of civilians jointly with, and involving staff from, DPA, DPKO and OCHA. We would welcome the participation of members of the Council's missions in this event. Clearly, the most important mainstreaming issue for the protection of civilians is demonstrated by the establishment of collaborative inter-agency protection frameworks in the field. I mentioned that through those protection frameworks — including the establishment of working groups on protection in such countries as Burundi, Afghanistan and, more recently, in Iraq — the aide-memoire is being applied in a practical way to report and address protection issues in those countries.

Finally, there were proposals to better implement the recommendations put forward by the Secretary-General in his first two reports. The Ambassador of Guinea suggested some sort of interdisciplinary group to review the state of implementation, and this is very welcome. It is precisely the thinking behind the establishment of the Member States support groups on the protection of civilians, as well as the implementation group within the Executive Committee on Humanitarian Affairs, to promote those objectives. Those mechanisms are being set up, and we wish to ensure that they produce specific, concrete results. That is our intent as we plan to report to the Council a revised, refined road map and the updated aide-memoire in the next briefing to the Council, in December.

In conclusion, I wish to thank the Council for the support you have shown and the commitment that has been expressed very positively around the table on this very important issue.

The President (*spoke in Russian*): I thank Kenzo Oshima for his clarifications and for answering questions, and for his kind words regarding the Security Council. Once again, we wish him success.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.40 p.m.